UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

08-1953

Foamex Intl

1-07-cv-00212

ORDER

In accordance with the motion by the appellant/petitioner in the above-captioned case, the matter is hereby dismissed pursuant to Fed. R. App. P. 42(b), without cost to either party. A certified copy of this order is issued in lieu of a formal mandate.

For the Court,

Marcia M. Waldron, Clerk

Marcia M. Waldron

A True Copy Marcia M. Waldron

Marcia M. Waldron, Clerk

Pauline K. Morgan, Esq. Laurie S. Silverstein, Esq.

Dated: June 17, 2008